

the backing material by temperature differences within the die **body**.

Claims 1-18 are pending, claims 14-18 being added by this amendment. Claims 14-18 merely recite the narrow limitation ranges that have been cancelled from original claims 1, 7, 11, 12 and 13. No new matter is added.

The disclosure stands objected to because headings were not present. These have now been added, and the objection should be withdrawn.

Claims 1-13 stand rejected under 35 U.S.C. 112, second paragraph, because of the inclusion of narrow ranges of limitations within broader ranges of limitations. This has now been corrected, and the narrower ranges are recited in separate claims. This rejection should therefore be withdrawn.

Claims 1-11 stand rejected under 35 U.S.C. 103(a) as obvious over Ludwig (US 5,122, 219) in view of Montalbano (US 6,019,924).

It is important to note that die body of Applicants' die is bent by temperature differences within the die body itself.

The Ludwig reference concerns a die which is disposed within the interior of a perforated cylinder (3). The die slit is not adjustable, and does not have adjustable lips. Moreover, the coating head (5) of the die presses against the inner surface (6) of the

cylinder (3) from the interior of the cylinder to deform the cylinder (col. 3, lines 27-37). The die body is heated electrically.

There is no teaching or suggestion in Ludwig that his die could or should be bent by temperature differences, and there is no teaching or suggestion of temperature differences within the die body for any purpose. To the contrary, it is inherently important that Ludwig's die remain straight and uniform at its discharge head, as the head is brought to bear against the inside wall of cylinder (3) to deform it and provide a planer surface opposite the counterpressure roller. If this die were bent in any way, the planer surface could not be uniform, and under such circumstances, Ludwig's system could not produce a uniform coating.

Therefore, in addition to the fact that Ludwig neither teaches nor suggests the bending of his die body by any means, and certainly not by means of temperature differences along its length, any such bending would be harmful to Ludwig's invention and would accordingly be avoided. Those skilled in the art using Ludwig's method would want to avoid any bending of Ludwig's die.

Montalbano, on the other hand does not heat his die body and does not bend his die body. Montalbano's device has movable die lips on the outside of his die, and they are moved by external thermal actuators. Heat is applied to the actuators, not to the die body, and these actuators then move the lips. Montalbano's die itself does not bend.

The Montalbano device requires a plurality of actuators, and mechanically movable lips. Applicants' die requires neither.

Nothing in Montalbano would teach or suggest a die body that is bent by the application of temperature differences within the die body itself.

The Examiner would combine Ludwig with Montalbano. In particular, the Examiner would modify Ludwig to use the thermal actuator system of Montalbano.

First of all, this combination would not be possible. A Ludwig die with Montalbano's actuators would never fit into Ludwig's cylinder (3) as it must.

Secondly, even if Ludwig's die was so modified, Applicants' die would not be arrived at. This combination would only result in a die having lips that are movable by thermal actuators, and could not possibly lead to a die body which is bent by temperature differences induced within the die body itself.

The rejection of claims 1-11 under 35 U.S.C. 103(a) as obvious over Ludwig (US 5,122, 219) in view of Montalbano (US 6,019,924) should therefore be withdrawn.

Claims 1-7, 9-13 stand rejected under 35 U.S.C. 103(a) as obvious over EP 622,127 A1 in view of Montalbano.

EP '127 teaches a process which uses a die that has two chambers for receiving coating material from two separate sources, but which is otherwise "ordinary". Certainly, there is nothing in EP '127 that would teach or suggest a method of bending his die body, whether by heat or by any other means.

Montalbano, as discussed above, moves only his lips, and this by an elaborate actuator system. It is only Montalbano's tubular or annular bolts that are heated; Montalbano does not even heat the bolts which are attached to the lips (i.e., the inner bolts)..see col. 2, lines 38-52. In addition, there is air passing in between the heated and non-heated bolts to isolate the heat from the remainder of the die system. Thus, Montalbano does not heat his die body, but more to the point, protects it from being heated.

Certainly, there is nothing in Montalbano that would teach or suggest the use of a die body which itself is bendable by the application of temperature differences within the die body itself.

The combination of Montalbano with EP '127 would, at best, result in a Montalbano die having two chambers. This combination could not, however, in any way, lead to Applicants' method which uses a die body that is bent by the application of temperature differences within the die body itself.

The rejection of claims 1-7 and 9-13 under 35 U.S.C. 103(a) as obvious over EP

622,127 A1 in view of Montalbano should accordingly now be withdrawn.

In view of the present remarks it is believed that claims 1-18 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

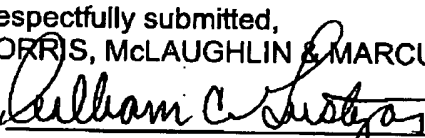
If any extension of time for this response is required, Appellants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fee or credit any excess to Deposit Account No. 14-1263.

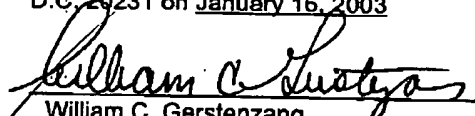
Respectfully submitted,
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I hereby certify that this correspondence is being transmitted via facsimile addressed to Hon. Assistant Commissioner For Patents, Washington, D.C. 20231 on January 16, 2003


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Date: January 16, 2003

**MARKED-UP COPIES OF AMENDED CLAIMS
SHOWING CHANGES RELATIVE TO PREVIOUS VERSIONS**

Claim 1 (amended). A method of applying liquid or [pastelike] pasty substances [, especially thermoplastics,] to a backing material, the substance being applied by means of a die at least partly to the backing material traveling along on the die, wherein,

- the die body is bent transversely to the direction of travel of the backing material
- and
- the bending is induced by temperature differences within the die body.

Claim 7 (twice amended). The method as claimed in claim 1, wherein the backing material is guided along an apparatus which produces counterpressure [, in particular a roll].

Claim 11 (twice amended). The method as claimed in claim 1, wherein the substance is a solution, dispersion, prepolymer or thermoplastic polymer, [preferably a hot-melt adhesive, with particular preference a hot-melt pressure-sensitive adhesive].

Claim 12 (twice amended). The method as claimed in claim 1, wherein the backing material is a roll or belt having an adhesive surface[, the adhesive

surface comprising in particular a coating of silicone or fluorine compounds or plasma-coated release systems, applied very particularly at a weight per unit area of from 0.001 g/m² to 3 000 g/m²].

Claim 13 (amended). The method as claimed in claim 12, wherein [the backing material is a roll or belt having an] said adhesive surface[, the adhesive surface comprising in particular] **comprises** a coating of silicone or fluorine compounds or plasma-coated release systems[, applied very particularly at a weight per unit area of from 100 to 2 000 g/m²].